

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
Asheville Division**

**FILED
ASHEVILLE, N.C.**

MAR 12 2008

**U.S. DISTRICT COURT
W. DIST. OF N.C.**

UNITED STATES OF AMERICA)	1:07cr69
)	
v.)	
)	
HENDERSON AMUSEMENT, INC.)	1:07cr69-01
JAMES OTIS HENDERSON)	1:07cr69-02
BARRON SLOAN HENDERSON)	1:07cr69-03
JERRY PENNINGTON)	1:07cr69-04
JEFFREY LEE CHILDERS)	1:07cr69-05
HAROLD STEVE HARTNESS)	1:07cr69-06
DENNIS CLARY)	1:07cr69-14
ROBERT MERRYMAN)	1:07cr69-21

ORDER

The matter is before the Court on the government's motion to dismiss the indictment returned in this case against defendants Henderson Amusement, Inc., James Otis Henderson, Barron Sloan Henderson, Jerry Pennington, Jeffrey Lee Childers, Harold Steve Hartness and Dennis Clary.¹

For good cause shown,

It is hereby **ORDERED** that the government's motion is **GRANTED**.

Accordingly, it is further **ORDERED** that the indictment in this matter is **DISMISSED** against defendants Henderson Amusement, Inc., James Otis Henderson, Barron Sloan Henderson, Jerry Pennington, Jeffrey Lee Childers, Harold Steve Hartness and Dennis Clary.

¹ The government also requests that the instant indictment be dismissed against defendant Imran Alam following his sentencing hearing, and that all counts of the indictment against defendant Robert Merryman to which he did not plead guilty be dismissed. These dismissals will be addressed by separate orders once these defendants are sentenced.

The Clerk is directed to send a copy of this Order to the Probation Office and all counsel of record.

/s/

March 12, 2008
Alexandria, VA

T. S. Ellis, III
United States District Judge